

# **CALIFORNIA Acupuncture Board**

2003-2005

## **STRATEGIC PLAN**

**Adopted by the Board  
June 7, 2004**



# **CALIFORNIA ACUPUNCTURE BOARD**

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**June 9, 2004**

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# **ACUPUNCTURE BOARD**

## **Executive Summary - Background and Description of the Board and Profession**

### **History of the Board**

The Board of Medical Examiners (now called the Medical Board of California) began regulating acupuncture in 1972 under provisions that authorized the practice of acupuncture under the supervision of a licensed physician as part of acupuncture research in medical schools. Subsequently, the law was amended to allow acupuncture research to be conducted under the auspices of medical schools rather than just in medical schools.

In 1975, Senate Bill 86 (Chapter 267, Statutes of 1975) created the Acupuncture Advisory Committee (committee) under the Board of Medical Examiners and allowed the practice of acupuncture but only upon prior diagnosis or referral by a licensed physician, chiropractor or dentist. In 1976 California became the eighth state to license acupuncturists. Subsequent legislation in 1978 established acupuncture as a "primary health care profession" by eliminating the requirement for prior diagnosis or referral by a licensed physician, chiropractor or dentist; and Assembly Bill 2424 (Chapter 1398, Statutes of 1978) authorized Medi-Cal payments for acupuncture treatment.

In 1980 the law was amended to: abolish the Acupuncture Advisory Committee and replace it with the Acupuncture Examining Committee within the Division of Allied Health Professions with limited autonomous authority; expanded the acupuncturists' scope of practice to include electroacupuncture, cupping, and moxibustion; clarified that Oriental massage, exercise and herbs for nutrition were within the acupuncturist's authorized scope of practice; and provided that fees be deposited in the Acupuncture Examining Committee Fund instead of the Medical Board's fund. Most of these statutory changes became effective on January 1, 1982.

In 1982, the Legislature designated the Acupuncture Examining Committee as an autonomous body, and effective January 1, 1990, through AB 2367 (Chapter 1249, Statutes of 1989) the name was changed to the Acupuncture Committee to better identify it as a state licensing entity for acupuncturists. On January 1, 1999, the committee's name was changed to the Acupuncture Board (SB 1980, Chapter 991, Statutes of 1998) and removed the Committee from within the jurisdiction of the Medical Board of California (SB 1981, Chapter 736, Statutes of 1998).

## **Function of the Board**

The Acupuncture Board's (Board) legal mandate is to regulate the practice of acupuncture and Oriental medicine in the State of California. The Board established and maintains entry standards of qualification and conduct within the acupuncture profession, primarily through its authority to license. The Acupuncture Licensure Act commences with Business and Professions (B&P) Code, Section 4925 et seq. The Board's regulations appear in Title 16, Division 13.7, of the California Code of Regulations (CCR).

The primary responsibility of the Acupuncture Board is to protect California consumers from incompetent, and/or fraudulent practice through the enforcement of the Acupuncture Licensure Act and the Board's regulations. The Board promotes safe practice through the improvement of educational training standards, continuing education, enforcement of the B&P Code, and public outreach.

## **Board Composition**

SB 1980 (Chapter 991, Statutes 1998) reduced the Board from 11 members to 9 members, consisting of three members who are licensed acupuncturists with at least five years of acupuncture experience and not licensed as physicians, one member who is a licensed acupuncturist who is also a faculty member of any board approved acupuncture college, one member who is a licensed physician with two years of acupuncture experience, and four public members. The member serves a four-year term for a maximum of two terms. The Governor appoints the four licensed members, physician member, and two public members. The Senate Rules Committee and the Speaker of the Assembly each appoint one public member. The Board currently has six appointed members and three vacancies for a licensed member, a licensed/faculty member and a physician member. Members are subject to confirmation by the Senate.

## **Committees of the Board**

The Acupuncture Board has four committees that make recommendations to the full Board as follows:

Executive Committee – address issues related to expenditures/revenue/fund condition, executive officer selection/evaluation, legislation/regulations, committee policy/procedures, and special administrative projects.

Education Committee – address issues related to acupuncture educational standards, school application and approval process, tutorial programs, and continuing education.

Examination Committee -- address issues related to development and administration contracts, administration, and miscellaneous issues.

Enforcement Committee – address issues related to scope of practice, complaints, disciplinary decisions, probation monitoring, reinstatements, and miscellaneous issues.

## **Board regulation of the practice and practitioners**

The Acupuncture Licensure Act (B&P Code, Section 4925-4979) and its related administrative regulations (Title 16, CCR, Sections 1399.400 et seq.) defines and regulates both the practice of acupuncture and the profession. The Board licenses and regulates acupuncture and Oriental medicine practitioners, establishes educational standards and approves training programs, of which 31 educational institutions have been approved by the Board to date. Currently a Masters Degree is required for graduation and a 4,000-hour Doctorate program was nationally adopted May 2000. As part of its licensing function, biannually, the Board develops and administers the California Acupuncture Licensing Examination (CALE) in English, Chinese and Korean.

The practice of acupuncture, as defined in B&P Code Section 4927, involves the stimulation of certain points on or near the surface of the body by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control, for the treatment of certain diseases or dysfunctions of the body and includes the techniques of electroacupuncture, cupping and moxibustion. B&P Code Section 4937 authorizes a licensed acupuncturist to engage in the practice of acupuncture and to perform or prescribe the use of Oriental massage, acupressure, breathing techniques, exercise, heat, cold magnets, nutrition, diet, herbs, plant, animal and mineral products, and dietary supplements to promote, maintain, and restore health. Licensed acupuncturists in California are primary health care professionals holding the highest responsibilities of providing for the health and safety of their patients. Any incident or behavior compromising that safety is critical. An acupuncturist may diagnose and treat illnesses and injuries, in addition to prescribing herbs and herbal formulas, perform Oriental massage, electroacupuncture and moxibustion. The Board regulates over 9,500 licensed acupuncturists.

In California, only those persons who have met the educational and examination requirements and have been issued and possesses a current and valid acupuncturists license are allowed to practice acupuncture. Individuals licensed by the Acupuncture Board use the title of 'Licensed Acupuncturist' (LAc.).

Exemptions: Physicians licensed by the Medical Board of California are authorized to practice acupuncture within their scope of licensed medical practice. Podiatrists licensed by the California Board of Podiatric Medicine and dentists licensed by the Dental Board of California may also practice acupuncture as part of their respective licensed practices - if they have completed a course of instruction in acupuncture approved by their respective licensing boards (B & P Code Section 4947).

The ethnic diversity of the profession often brings about language barriers and accepted practices, which vary between the different ethnicities. Eastern and Western medicine, while distinctly separate entities, continue to integrate and it has been a challenge to the Board to educate the profession about acceptable standards of ethics for practice in the West, as well as advancing the esteem and acceptance of the profession while maintaining the historical integrity of the various Eastern disciplines. The accelerating "mainstreaming" of alternative medicines, particularly acupuncture and Oriental medicine has added to the Boards workload responsibilities and challenges. Acupuncture is used extensively in pain management; drug and alcohol detoxification, treatment of HIV patients and cancer patients to mitigate the impact of chemotherapy. The majority of enforcement cases are cases relating to unprofessional conduct, ethical issues, practice

management issues and sexual misconduct. The Board has been challenged as to how to get the message to the public of what to expect from the acupuncturists, in addition to informing licensees regarding what constitutes proper practice protocol. The Board wrote, designed, produced and released the first consumer brochure on acupuncture and Oriental medicine in 2002 and is in the process of revising it for distribution in 2004.

### **Board's five-year Accomplishments - 1999 through 2003**

#### **1999**

- Clinical portion of the licensing examination eliminated, developed a new written examination plan to incorporate the knowledge, skills, and abilities from the clinical into a written format and trained a new examination contractor.
- Implemented live-scan fingerprinting for applicants, reducing the waiting period for obtaining a license by approximately 70%.
- Developed, designed and implemented Board's website, including license verification capability for licensee name, address and disciplinary status.
- Legislative and regulatory amendments completed on the examination and re-examination fee structure to be actual cost to the Board for the development, grading and administering of each examination.
- Evaluated, tested and replaced or modified technical systems to be Y2K ready.
- Reviewed, site visited, and approved a new acupuncture school.
- Developed and implemented the Board's Business Continuity Plan.
- Commenced special task force meetings to define competencies and educational outcomes in order to increase educational curriculum requirements for licensure.

#### **2000**

- Commenced occupational analysis.
- Five new member appointments made to the Board.
- Secured authority to hire a permanent examination office technician.
- Revised CE audits procedures and expanded the number of licensees random audits are conducted on, to ensure compliance with licensure requirements.
- Wrote distributed and implemented school site visit guidelines and manual for site visit team.
- Commenced development and design of a new consumer brochure.
- Reviewed, site visited, and approved a new acupuncture school.
- Commenced regulatory process for three new regulatory changes (i.e., (1) increase curriculum program requirements to 3,200-hours; (2) use of the title "Doctor"; and (3) amending licensing exam administration and results.)
- The Department of Finance Office of State Audits and Evaluations conducted a successful review audit of the Board's internal controls.

#### **2001**

- Concluded occupational analysis.
- Two new member appointments made to the Board.
- Completed and distributed consumer brochure.
- The Board's website was redesigned, information expanded, and connected to the Governor's new portal.
- Reviewed, site visited, and approved five new acupuncture schools.

- The Department of Consumer Affairs Internal Audit Office conducted a successful performance audit of the Board's programs.
- Commenced writing and developing of licensee newsletter.
- Established the Competencies and Outcomes Task Force to identify practice competence and assign educational hours to those competencies.
- Commenced the second sunset review process/hearings.

## **2002**

- Proceeded through the Board's second sunset review process and hearings. SB 1951 was introduced by Senator Figueroa to sunrise the Board.
- Between May 2001 and April 2002 held four Competencies Task Force meetings. CTF submitted final recommendations to the Board on April 24, 2002.
- Board developed and adopted (6/25/02) the 2002-2003 Strategic Plan
- Board adopted Competencies Task Force recommendations June 25, 2002.
- Board supported and lobbied for AB 1943, raising curriculum hour's requirements to 3,000 commencing January 1, 2005.
- Completed and distributed a licensee newsletter.
- Reviewed, site visited, and approved two new acupuncture schools.
- Reviewed and approved three China Externship Programs.
- Developed and adopted China externship application and forms.
- Successfully administered two acupuncture-licensing examinations.
- Participated in three consumer fairs.
- Commenced the revision of the consumer disclosure policy to enhance consumer access to complaint information.

## **2003**

- Effective January 2003, SB 1951 was implemented, sunrising the Board and changing the structure of the Board to require 3 acupuncturists who are not licensed as physicians and surgeons and one acupuncturist who is a faculty member of an acupuncture college approved by the Board.
- Effective January 2003, legislation took effect, strengthening the Board's enforcement ability for unprofessional conduct, fraud and negligence by acupuncturists.
- Sunrise legislation (SB 1951, Chapter 714, Statutes of 2002) added Section 4934.1 and 4934.2 to the B&P Code requiring the Little Hoover Commission to conduct reviews of specific issues with respect to the practice of acupuncture, educational standards, school approval process and examination process. In addition, it also requires the Board to conduct certain studies and reviews relating to acupuncture assistants and continuing education.
- Commenced the regulatory process to implement the requirement of B&P Code Section 4939(b), which established the standards for the approval of an acupuncture training program at a minimum of 3,000 hours (2003 Proposed Curriculum Regulations – CA Regulatory Notice Register #Z-03-0570-10).
- Successfully wrote, and developed and distributed a licensee newsletter.
- Through the budget change proposal (BCP) process, secured funding to augment the enforcement costs for the Attorney General budget line item for FY 2004/2005.
- Adopted revisions to the consumer complaint disclosure policy to enhance consumer access to complaint information, to be promulgated into regulations.
- Reviewed, site visited, and approved two new acupuncture schools.

- Participated in consumer fairs.
- Successfully completed the Governor's budget hearings and drills, and vacancy and staff reduction plans with a minimal impact to the Board, its staff and its budget.
- Completed the budget hearing process for a \$1.5 Million loan to the GF.
- Implemented licensee-auditing process to verify compliance with continuing education requirements.
- Completed and compiled two licensee surveys relating to continuing education and use of assistants.
- Successfully completed the expansion and relocation of the Board office.
- Implemented on-line consumer complaint filing.
- Successfully completed two acupuncture-licensing examinations.
- Revoked the licenses of nine acupuncturists.

This plan will be reviewed by the Board on an annual basis and revised as needed. If you have questions regarding the plan, contact Marilyn Nielsen, Executive Officer, at 916-445-3021. If you would like copies of the plan, copies can be accessed on the Board's website at [www.acupuncture.ca.gov](http://www.acupuncture.ca.gov) or by contacting Janelle Wedge at 445-3021, extension 3414.



## **MISSION**

The Mission of the Acupuncture Board is to benefit and protect the public through appropriate regulation of licensure, education standards, and enforcement of the Acupuncture Licensure Act.

## **VISION**

The Acupuncture Board is committed to the enhancement of the health and safety of the people of California by ensuring:

- Highly qualified practitioners working as primary health care professionals in partnership with other health care providers
- Fair and ethical standards of professional conduct
- Excellence in practitioner training and education

## **PRINCIPLES**

The Board values the following:

- Meeting the needs of the public that we serve with integrity.
- Striving to provide a quality service to the public and profession.
- Appreciation for the members and staff of the Board.

## **STRATEGIC GOALS**

The Board has established five strategic goals that provide the framework for furthering its mission.

### **EDUCATION PROGRAM**

To improve education to be commensurate with the professions status as primary health care professionals. Update current curriculum to ensure the students are receiving the appropriate training for practice. Reevaluate student qualifications or requirements for entry into acupuncture educational institutions. Ensure that all applicants are minimally qualified and clinically competent to treat patients in a healthy and safe manner. Establish criteria to ensure quality and appropriate continuing education.

### **SCHOOL APPROVAL**

Update and streamline school approval process. Ensure the application process is fair and effective and that the educational institution provides the Board with complete and accurate information on the institution. Ensure the Board's laws and regulations are current to establish an acceptable standard for institutional approval. Ensure the site visit guidelines and manual is reflective of the standard established by the Board. Ensure site visit team members are adequately trained and provided the tools necessary to perform a thorough and complete site visit. Evaluate the role of accreditation agency to conduct school reviews.

### **ENFORCEMENT PROGRAM**

To better protect the consumer through increased enforcement of the Acupuncture Licensure Act. Ensure that negligent, incompetent and unlicensed practice of acupuncture is addressed through proactive, timely and consistent enforcement of the Acupuncture Licensure Act and Board regulations. Ensure the Licensure Act, regulations, and scope of practice Legal Opinion 93-11 are current and up-to-date in defining causes for discipline and the practice of acupuncture and Oriental medicine.

### **EXAMINATION PROGRAM**

Ensure a fair and valid examination that is a reliable measure of competence. Ensure that those entering the acupuncture and Oriental medicine profession possess minimal competency to practice independently and safely. Ensure examination applicants possess at least the minimum educational requirement, which is currently a Masters Degree. Continue focused oversight of the contractors who develop and administer the licensing examination. Incorporate the latest technology in administering examinations and utilize examination development and validation methods. Improve on the testing of clinical skills.

**EDUCATION AND OUTREACH PROGRAM**

To provide timely and accurate information regarding consumer protection and the practice of acupuncture to the consumer, the profession, acupuncture schools, students, the Department of Consumer Affairs, law enforcement and the legislature. Update the Board's consumer education and outreach programs to all stakeholders.

## EDUCATION PROGRAM

### Strategic Issue No. 1

#### GOAL

**To improve education to be commensurate with our status as primary health care professionals.**

**Board Committee Responsibility:** Education Committee

#### Strategic Objectives

- 1.1 Establish criteria that ensure students are receiving appropriate training for practice [Target Date: 12/31/05]
  - *Endorse/Reject/Amend Little Hoover Commissions recommendations by 12/31/04*
  - *Endorse/Reject proposal to establish 4000-hour entry-level doctorate program by 9/1/05.*
  - *Establish a model for Training and Registration Standards for an Acupuncture Assistant by 12/31/05.*
- 1.2 Establish criteria to ensure clinical competency [Target Date: 12-31-05]
  - *Complete review of requirements of other health care professions by 7/31/05*
  - *Complete review of other models (internships, mentorships, etc.) by 12/31/05*
  - *Review Need to Establish a minimum GPA Required of Graduates to sit for the California Acupuncture Licensing Examination by 12/31/05.*
- 1.3 Establish criteria to ensure quality and appropriate continuing education [Target Date: 9-30-04]
  - *Develop relevancy/quality criteria (onsite & distance) by 9-1-04*
  - *Determine frequency and consistency of audits by 9-1-04*
  - *Establish policies to implement findings by 4-30-05*

#### Ongoing Objectives

- Continue oversight of Board approved acupuncture educational institutions.
- Ensure quality review and evaluation of continuing education courses for relevancy.
- Assure competency of licensees through mandatory continuing education requirements.
- Educate other stakeholders and the consumer about educational requirements for the profession.
- Continue to improve educational standards through increasing curriculum requirements and school approval standards.
- Evaluate guidelines and approval process for continuing education courses and providers.
- Update continuing education regulations as needed.
- Continue streamlining continuing education auditing process.

- Maintain rapport with national accrediting agency.
- Outreach to the schools and students regarding legislative and regulatory changes that effect them.
- Maintain a high standard for tutorial approvals.

### **Performance Indicators**

1. Student satisfaction surveys
2. Statistics by schools on exam pass/fail rates
3. Examination pass/fail statistics on tutorial students
4. Schools Annual Report compliance
5. Number of course or provider applications received, approved and/or denied
6. Number and type of complaints filed by providers and participants
7. Number of citations and fines issued for non-compliance issues
8. Number and nature of complaints and cases filed regarding practice
9. Number of telephone calls and emails to the Board for comments about schools and/or education
10. Website hits

### **Resource Assumptions**

A majority of the workload associated with these objectives is not absorbable within existing resources.

## **SCHOOL APPROVAL PROCESS**

### **Strategic Issue No. 2**

### **GOAL**

**Update and streamline school approval process.**

**Board Committee Responsibility:** Education Committee

### **Strategic Objectives**

- 2.1 Update school approval laws and regulations to ensure students are receiving excellent training [Target Date: 12-31-05]
  - *Endorse/Reject/Amend Little Hoover Commissions recommendations by 12/31/04*
  - *Review laws and regulations to establish criteria for school approval process by 4/30/05.*
  - *Complete research to identify options for school approval process by 7/31/05.*
  - *Complete an evaluation of the site visit process, (including considering expanding pool of practitioners to assist in conducting site visits) by 12/31/05.*
  - *Codify requirements of school site visit manual into laws and regulations – commence by 12/31/05*

- 2.2 Develop an ongoing review process for continuing approval of schools [Target Date: 12-31-05]
- *Endorse/Reject/Amend Little Hoover Commissions recommendations by 12/31/04*
  - *Review established BPPVE and regional and national accreditation agencies reapproval standards by 9/1/05*
  - *Establish reapproval standards utilizing established standards and input from Board approved schools by 12/31/05*
  - *Codify requirements of school reapproval process into laws and regulations – commence by 12/31/05*
- 2.3 Complete an evaluation of the role of an accreditation agency to conduct reviews [Target Date: 6-30-06]
- *Endorse/Reject/Amend Little Hoover Commissions recommendations by 12/31/04*
  - *Evaluate California state, regional and national accreditation standards and processes to determine if Board can utilize standards or partner with accreditation agencies for school reviews by 12/31/05*

### **Ongoing Objectives**

- Keep options open of any type of accreditation process.
- Continue oversight of Board approved acupuncture educational institutions
- Enhance training of site visit team members.
- Continue to evaluate and update school approval standards defined in the site visit manual.
- Continue joint site visits with BPPVE whenever possible.
- Continue attending biannual national accrediting meetings.
- Increase compliance for the approved schools to file the required annual report.
- Review and amend laws and regulations as needed to maintain quality oversight.
- Maintain rapport with Board approved educational institutions.
- Schedule random visits to Board approved educational institutions.
- Provide timely and quality responses on information requests.
- Update procedures manual as necessary.
- Ensure guest acupuncturists are in compliance with INS laws and requirements.

### **Performance Indicators**

1. Student and alumni satisfaction surveys
2. School statistics on examination pass/fail results
3. Number and type of complaints received on a school
4. Number of telephone calls and emails to the Board for comments about schools
5. Schools compliance with filing annual reports
6. Number of applications for school approval received
7. Number and quality of school externship sites filed
8. Website hits

### **Resource Assumptions**

The majority of the workload associated with these objectives is absorbable within existing resources.

## **ENFORCEMENT PROGRAM**

### **Strategic Issue No. 3**

#### **GOAL**

**To better protect the consumer through increased enforcement of the Acupuncture Licensure Act**

**Board Committee Responsibility:** Enforcement Committee

#### **Strategic Objectives**

- 3.1 Revise the disciplinary guidelines to update outdated areas based on changes in the law or areas of emphasis [Target Date: 4-30-05]
  - *Codify language into laws and regulations by 12/31/05.*
- 3.2 Establish a requirement for Continuing Education courses in the subject areas of ethics/jurisprudence [Target Date: 6/30/05]
  - *Evaluate need to have a jurisprudence exam as a condition of license renewal every four to six years by 6/30/05*
  - *Codify language into laws and regulations by 12/31/05*
- 3.3 Complete the revision of scope of practice - Legal Opinion 93-11 [Target Date: 12-31-04]
  - *Codify language into laws and regulations by 8/1/05.*
- 3.4 Complete a comprehensive study of the use of unlicensed acupuncture assistants and make recommendations for licensure [Target Date: 9-1-04]
  - *Evaluate data from surveys*
  - *Evaluate other professions and states use of assistants*
  - *Complete written report and provide recommendation to the Board*

#### **Ongoing Objectives**

- Continue commitment to maintain a proactive enforcement program.
- Continue distribution of Consumer Brochure to licensees.
- Ensure ongoing dialog and continue building rapport with local law enforcement.
- Enhance and expand licensing and enforcement information available on the Board's website, including license lookup.
- Educate consumers through prompt and relevant press releases and public announcements.
- Educate students and profession on the primary purpose of the Board.
- Develop and monitor statistics on all enforcement activities.
- Increase Board participation in consumer assistance fairs.
- Implement Board participation at professional association conferences and symposiums.
- Update Disciplinary Guidelines regularly.
- Continue to respond and resolve complaints in a timely and efficient manner.
- Continue and expand usage of Cite and Fine program.

- Continue to expand the pool of expert consultants/witnesses the Board utilizes for the enforcement program.
- Outreach to the approved educational institutions and acupuncture students regarding scope of practice and standards of care issues.
- Ensure probationers are in compliance with decision terms and conditions.
- Training staff on revisions of state and federal legislative, regulatory, and legal mandates that affect enforcement codes.
- Publish newsletter on an annual basis.
- Expand links to related and relevant media articles.

### **Performance Indicators**

1. Number of website hits and phone calls by public
2. Results of complainant's satisfaction surveys
3. Number and nature of complaints filed, investigations opened, accusations filed, decisions rendered and citations issued
4. Number of telephone calls and emails to the Board regarding practice issues
5. Number of repeat actions for disciplined licensees
6. Number of calls from law enforcement based on website
7. Increased compliance with filing requirements

### **Resource Assumptions**

The complaint workload continues to increase. The Board's website has been expanded to include more information about the complaint process and procedures to file a complaint, in addition to providing the public with the ability to look up licensee data and status, including disciplinary action against the licensee. The Board has developed and distributed its consumer brochure, which will also define the Board's complaint process. In addition, the Board has continued an aggressive outreach effort to law enforcement statewide and created a Law Enforcement Task Force to promote cooperation between enforcement agencies and improve service to the public. With the rising popularity of acupuncture and Oriental medicine as a complement or alternative to allopathic medicine in California, and the increase in the public awareness of the Boards' enforcement and complaint process, it has contributed to the increase of complaints received and processed. The Board's existing enforcement staff and budget appropriation is not at a level that accommodates the enforcement activities related to this increased workload. Existing resources cannot support an aggressive and proactive enforcement process.



# EXAMINATION PROGRAM

## Strategic Issue No. 4

### GOAL

**Ensure a fair and valid examination that is a reliable measure of competence.**

**Board Committee Responsibility:** Examination Committee

### Strategic Objectives

- 4.1 Complete an evaluation of the validity and appropriateness of the current test form [Targeted Date: 12-31-05]
  - *Endorse/Reject/Amend Little Hoover Commissions recommendations by 12/31/04*
  - *Evaluate and expand text reference list used to develop the licensing exam by 3/31/05*
  - *Evaluate other health care professions testing formats by 8/1/05*
  - *Evaluate alternative methods or alternatives to administer the licensing exam while maintaining security of testing materials by 12/31/05*
- 4.2 Improve the testing of clinical skills [Target Date: 12-31-05]
  - *Endorse/Reject/Amend Little Hoover Commissions recommendations by 12/31/04*
  - *Evaluate how other health care professions test for clinical competency by 12/31/05*
  - *Evaluate alternative methods to test practical knowledge, skills and abilities (i.e., computer based testing, practical exam, etc.) by 5/31/06*
  - *Evaluate more advanced technology in order to replicate and test for components from the hands-on clinical exam by 5/31/06*

### Ongoing Objectives

- Continue to provide appropriate oversight of the contractors who develop and administer the licensing examination.
- Continue to improve and standardize the exam translation process.
- Ensure adequate training and oversight of Subject Matter Experts (SMEs) who are developing examination questions.
- Continue to evaluate the feasibility of providing computerized exam administration.
- Ensure the validity of the licensing examination is at its highest level.
- Ensure accurate and quality translated forms of the exam.
- Enhance public awareness of education, licensing and examination requirements of an acupuncturist.
- Conduct legally defensible licensing examinations to test for minimum entry level competency.
- Continue to administer successful examinations that test the competency of candidates' knowledge, skills and abilities in acupuncture and Oriental medicine.
- Outreach and educate acupuncture schools and students on the purpose of the occupational analysis, exam development and administrative process, and application process.
- Develop and expand the pool of qualified subject matter experts who participate in developing the licensing exam.

- Maintain security standards and policies of exam materials.
- Provide extensive and quality training to proctors and expert examiners.
- Continue to accurately evaluate and timely process exam applications.
- Continue to meet all statutory, regulatory and policy deadlines in processing exam application and required documents.
- Ensure examination fees cover the costs of developing, administering, grading and securing the examination.
- Ensure the examination plan is balanced to the current occupational analysis.

### **Performance Indicators**

1. Pass/fail results
2. Compliance with required processing deadlines
3. Candidate Comment Forms and feedback
4. Enforcement of security standards
5. Efficiency in exam scheduling and issuance of license
6. Website hits

### **Resource Assumptions**

The focus and work to maintain a quality examination, while continuing to improve the development and administration processes, has been a priority to the Board. The number of approved applications for the July 2004 exam exceeds 650. This number has continued to increase with each exam administration. The increase in exam applicants will continue, considering the continual increase in school enrollment over the last few years. The work impact to review, process and accommodate the increased number of applicants will need to be addressed in future fiscal years. Also, the Board is researching other methods of exam administration, such as computer based testing, in addition to researching more advanced technology in order to replicate and test for components from the old hands-on clinical exam. A majority of the workload associated with these objections is not absorbable within existing resources.

## **EDUCATION & OUTREACH PROGRAM**

### **Strategic Issue No. 5**

#### **GOAL**

To provide Board stakeholders with timely and accurate information regarding consumer protection and the practice of acupuncture.

**BOARD COMMITTEE RESPONSIBILITY:** Full Board

#### **STRATEGIC OBJECTIVES**

- 5.1 Develop and implement a program to reduce the yearly number of disciplinary actions before the Board through the education of schools, professional associations and law enforcement [Target Date: 12-31-05]
  - *Partner with schools to provide more education in ethics and jurisprudence by 12/31/05*
  - *Outreach to relevant law enforcement agencies to develop better relationships and educate them on the Acupuncture Licensing Act by 12/31/05*
  - *Outreach to the professional associations to establish open channels of communication on scope of practice, standards of care and enforcement issues by 12/31/05*
  - *Outreach to the licensee by participating in informational booths at professional conferences and/or seminars by 6/30/05*
  - *Hold mini workshops with acupuncture schools & students by 6/30/05*
- 5.2 Improve the Board's tools for communicating information to practitioners [Target Date: 12/31/05]
  - *Distribute Points of Interest Newsletter to Practitioners by 12/31/04*
  - *Expand Acupuncture Board's Website by 3/31/05*
  - *Develop & distribute FAQs by 7/31/05.*
- 5.3 Update the Board's consumer education programs [Target Date: 6-30-05]
  - *Revise and Distribute Consumer Brochure by 10/1/04*
  - *Secure additional funding to translate information to other languages by Fiscal Year 2006/2007.*
- 5.4 Outreach to DCA and the Legislature [Target Date: 12/31/05]
  - *Develop a relationship with the Administration and the Department of Consumer Affairs new Director and educate them on the Acupuncture Licensing Act, and the scope of practice and standards of care of an acupuncturist*
  - *Develop relationships with new members of the Joint Legislative Sunset Review Committee and educate them on the Acupuncture Licensing Act, and the scope of practice and standards of care of an acupuncturist*

#### **Ongoing Objectives**

- Continue outreach to the public by participating in consumer fairs.
- Continue outreach to law enforcement agencies.

- Update as necessary and continue distribution of the consumer brochure.
- Maintain rapport with the departments, agencies and administration the Board depends on.
- Maintain open communication with Board approved schools.
- Provide avenue for students to contact the Board with any issues.
- Continue attending and testifying at professional conferences.
- Review and amend laws and regulations as needed to maintain quality oversight.
- Maintain rapport with professional associations.
- Schedule random visits to Board approved educational institutions.
- Provide timely and quality responses on information requests.
- Update procedures manual as necessary.

### **Performance Indicators**

1. Reduced number of disciplinary actions
2. Number and type of complaints received on a school
3. Number of telephone calls and emails to the Board from consumers
4. Distribution success of the consumer brochures
5. Good rapport built with law enforcement agencies
6. Respect and camaraderie between the Department & stakeholder agencies
7. Relationships with legislators and legislative staff
8. Website hits

### **Resource Assumptions**

The majority of the workload associated with these objectives is absorbable within existing resources.